

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In re: MICHAEL WHITE,

Petitioner,

MEMORANDUM

Misc. Pro. 08-mc-6

Petitioner Michael L. White, a prisoner at the Green Bay Correctional Institution in Green Bay, Wisconsin, has submitted a document dated August 10, 2008, titled "Motion for Injunction by Pro Se Litigant." In his motion, petitioner seeks an order requiring prison officials to return to him his "war chest" containing legal work he needs to defend against criminal charges brought against him in state court.

Before this court can entertain a motion for preliminary injunctive relief from petitioner, he will have to file a formal complaint pursuant to 42 U.S.C. § 1983, setting out the facts underlying his claim that he is entitled to relief in this court and identifying in the caption of the complaint all of the persons he intends to sue. The complaint should be nothing more than a simple story about what is happening to petitioner to make him believe his rights are being violated, who is violating his rights and what he wants the court to do about it.

Moreover, because he is a prisoner, petitioner is subject to the 1996 Prison Litigation

Copy of this document has been
provided to: Attionall
U.S. Attorney's Office
this 8/21/08 day of Aug, 2008
by Abaz
Secretary to
the U.S. Attorney
for the Western District of Wisconsin
Abaz

Reform Act. This means that before the court will review the merits of any complaint he files, he must pay an initial partial payment of the \$350 fee for filing his complaint which has been calculated from his trust fund account statement according to a formula described in 28 U.S.C. § 1915(b). Under the act, he is required also to pay the remainder of the fee in monthly installments, even if his request for leave to proceed in forma pauperis is denied.

If petitioner submits a complaint and a request for leave to proceed in forma pauperis accompanied by a trust fund account statement for the six-month period immediately preceding the filing of his complaint, I will enter an order assessing him an initial partial payment of the filing fee. In the meantime, his motion for an immediate injunction will be placed in a miscellaneous proceeding file and no consideration will be given to it. To assist petitioner in filing a proper complaint, I am sending him this court's forms for filing a civil lawsuit.

Entered this 19th day of August, 2008.

BY THE COURT:

Barbara B. Crabb
BARBARA B. CRABB
District Judge